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The New Game.

ROBERT L. BRACKEN, '08.



THE severe criticism which greeted the 1906 rules has been proved unjustly founded by the measure of success that the new rules have shown. The new game has all the good essentials of the old, and in addition has given the old game new phases and wider scope in which to develop not alone the foot work but the head work of the teams. Opinions seem to vary widely as to the merits of the old and new game, but it will be found that the strongest advocates of the old game now are the men who played under the old rules and had finished their athletic career before the modern game came into existence. Personally I favor the new game and believe that it has displaced for good the old gruelling, line-bucking contest. No team can make its ten yards through the line if playing against a team which has license to be called an opponent. End runs, skin-tackle plays, onside kicks, quarter-back kicks and place kicks, have taken the place of the man-killing mass plays.

There can be no more of the grinding, wearing attacks that formerly won games, where the strong backs were aimed at the opposing weak tackle or guard until they wore him down and crushed him into submission, practically "killing him off" for the time being. And then it was that he was seriously injured for his strength was gone, his brain had tired with his physical powers, and he was but a combination of bone and muscle which was worthless, his spirit or "gameness" attempting to call him a man.

The much-talked of forward pass is but an experiment; in fact the new game is but an experiment, but a successful one. The forward pass has proven to be but a mere attempt in nearly every game of the season. It has worked beautifully at times, and has resulted in miserable failure at other times, which proves more than ever that headwork and not alone beef and muscle makes football players.

The forward pass can be worked successfully, but the play must be perfected to the highest state and will depend upon the headwork of the men involved in the play. Under the former rules if a signal was missed on a line plunge some one of the backs could take the ball and plough into the line and probably make his two or three yards, but this can not be done now (the two times three still makes six yards and first down, but it does not make ten), and especially in the long pass it must work perfectly or not at all. And the idea in every game is undoubtedly to reach the highest state of perfection.

The new rules have put a premium on the heady man, for it is the man with the football head that is the valuable asset to a team now; the open field runner, the dodger, the alert and watchful man, who can see and take opportunities, has driven the battering ram line-plunger to the background.

Another evidence of the new rules is that they give the light man an equal chance with the big man. The new game allows him to pit his weight aided by his brain against the man who is a football player simply because he can not be hurt and can stand punishment.

The game naturally must be more open and consequently more interesting to the spectators. Good plays were pulled off in

the old game which were equally as hard as the new ones, and demanded the science and state of perfection that is required now; but how many of the side-liners saw the real science in them? Only the few that had mastered the fine points of the game and knew the inside workings of a football machine.

It was but natural then and reasonable that to the uninformed spectator the game appeared nothing more than a mass of heads and legs tangled into one huge pile, apparently devoid of any science or skill, holding brute strength above all else. The game is played for the interest of the people at large the same as any other game; and why not let them see it and enjoy the really good points in it? And this the new rules do; they have opened up the game so that a man who never witnessed a contest before can easily understand it and can see what is going on in the field. The players themselves have found the game quite as exhilarating and the public at large has found it more entertaining than before, hence there can be but one answer to the question as to whether the new rules have improved the game.

Regarding the injuries incurred, they are bound to last. They are in every game and are found no more in football than in the other so-called "gentlemanly contests." As for the injuries resulting under the old rules the game itself never was to blame for the numerous serious accident. The men who played it can thank themselves for that, for they made the game what it was.

The new rules give the "bad" man smaller chance to get in his "dirty" work, for the openness of the game is a bar to him. The intentional injuries will not be found to exist under the new rules, for the wide-open manner in which the plays are run off allow officials, spectators and players to see every move a man makes, and the "inside player" has no chance now to operate his methods.

The game is cleaner under the new rules, is better for the players and better for the spectators, and makes it possible for all to enjoy it. The old game is gone, and the new has proven to be not a failure; but in another year when the season will open with the same confidence as the past one closed, the new game will be a grand success.

Her First Game.

THOMAS E. BURKE, '07

Persons.

LAWRENCE HOCKI (A Notre Dame student.)
ROSE HOCKI (Sister of Lawrence.)
WALTER NEWMAN (Member of visiting team and very dear friend of Rose Hocki.)
CROWD OF N. D. ROOTERS.

SCENE I.

Cartier Field at 2:30 P. M. (Visiting team enters.)

ROSE. Sure enough, there's Walter and he has his football apparel on. No, I can't catch his eye—he doesn't seem to see my handkerchief.

LAWRENCE. Don't wave that handkerchief any more; they are all laughing behind you.

ROSE. Let them laugh. I think Walter will do better if he knows I'm here.

(Enter Notre Dame team.)

CROWD. U. N. D. Rah! Rah!
U. N. D. Rah! Rah!
Hoo rah! hoo rah!
U. N. D. Rah! Rah!

ROSE. What's that horrid thing they're shouting up there?

LAW. That's the college yell.

ROSE. Is that the college yell? It has no music in it whatever. When I went to the convent we had the cutest class yells.

LAW. Well, cute yells are all right for the convent, but not for boys. They want something that will stir up enthusiasm.

ROSE. Who is that man standing behind all the others?

LAW. That's Deiner, the Notre Dame full-back.

ROSE. What a horrid face he has.

LAW. That's not his face, that's a nose guard.

ROSE. A nose guard! Is it dangerous? Will he have to be operated on for it?

LAW. No! no! A nose guard is not a cancer of the nose or anything like that, it's a covering to prevent the nose from being broken in a scrimmage.

ROSE. And is his face under that?

LAW. Yes, yes.

ROSE. Why doesn't he take it off to let the people know that it isn't his face. I'd

like to see what kind of a face he has, for he's as bald as he can be, and his head is like an egg.

LAW. Nonsense! That's a headgear he has on to cover his head and keep it from injury.

ROSE. And is his head under that?

LAW. Yes, don't ask so many questions; just watch and you'll see them all put on head and nose guards.

ROSE. Oh, I declare! Walter has one of those nose apparati on; I believe the game is going to start. Look how he caught that ball. I thought it was going over his head.

CROWD.—N. D. Hurrah!

D. U. Hurrah!

The Gold Hurrah!

The Blue Hurrah!

Hooper, Hooper, Hooper, Hoo!

Notre Dame. Notre Dame N. D. U.

ACT II. (Same scene.)

(*Notre Dame kicks off.*)

ROSE. Oh! Walter's got the ball. Look at him run! look at him run, oh! oh! Who is that horrid man that caught him by the legs?

LAW. That's Beacom.

ROSE. He ought to be arrested—such a big fellow to catch him up like that and fall on him.

LAW. You make me tired. Everyone is laughing at you. Don't you know that's part of the game.

ROSE. Oh! yes, yes, Walter's got the ball again! Look! look! That's not fair for that big man to knock him down before he got started. He's a brute! Who is he?

LAW. Bud Sheehan, the star centre.

ROSE. What's Walter going to do now? See! he's going back.

LAW. Punt, punt, can't you see!

ROSE. Oh, dear! that big overgrown fellow stood right in front of the ball when he was kicking—he has no right to do that. Who is he?

LAW. Beacom, Beacom, keep your eyes open. (*Notre Dame gets ball.*)

CROWD. Touchdown! Notre Dame; touchdown!

ROSE. Who is that going—Oh! no—They haven't got him. That horrid Beecham is holding Walter or I bet he'd get him. Oh! oh! he's gone back of the goal.

CROWD. Rah! rah! rah! Bracken, Bracken!

ROSE. Who is that they are cheering? Is it Beecham?

LAW. No, it's not Beecham or Lydia Pinkham either, it's Bracken.

ROSE. And what is that man going to do now?

LAW. Kick goal. Why don't you wait till you see before you ask questions.

ROSE. What's that man's name?

LAW. Beacom, Beacom, Beacom—for the twenty-third time.

ROSE. That doesn't look like the Beecham you showed me before.

LAW. Please keep quiet, will you? His name isn't Beecham, it's Beacom.

CROWD. (*As ball goes over goal*) Hurrah!

LAW. 6 to 0 in favor of Notre Dame.

ROSE. My! That's awful, but I think Walter's team is the best, don't you? Who is that man with the nose protector?

LAW. I told you once it was Deiner.

ROSE. All the others have taken them off, why doesn't he?

LAW. He doesn't want to have his nose broken.

ROSE. And do the others?

LAW. You silly thing, keep quiet.

ACT III. (Same scene.)

(*Notre Dame kicks off.*)

ROSE. Oh, I declare! Yes, Walter has it again! Look! oh! oh! that horrid Beechams has squashed him.

LAW. Yes, I guess he's out.

ROSE. Out where? Why do they push his legs up and down like a pump handle? Oh! look! he's bleeding.

LAW. They are going to take him out of the game.

ROSE. (*crying*) Will he live? Will he die?

LAW. I can't stand this any longer; come out with me; you've made a fool of both of us.

In Late Summer.

(*Horace, Odes I. 38.*)

OH! boy, I hate the Persian festal way,
The crowns of flowers joined with linden bands;
No longer seek the hardy rose, I say,
Nor pluck it with shy too officious hands.

A simple myrtle crown is all I crave
When sitting drinking 'neath the vine's cool shade;
The myrtle does not shame your master, slave,
Nor will it thee when coming to my aid. H. L.



COACH THOMAS BARRY.

Coming into the West a stranger and into a body of green material, Coach Thomas Barry faced a serious problem. But ability to adapt oneself is the sign of success. Barry started at once to work and in a few weeks a crowd of awkward, headless new men were developed into a fast, steady team. Much has been said concerning "Barry of Notre Dame," but only one who daily watched the Varsity grow and develop under him can do any justice to the good work done by this man. He believed in leading his men, never in pushing them, and while he led he also showed a reserve power capable to enforce. That he never had to call on this reserve power during the year is the best sign of his ability. Always fair and giving every man a chance he more than satisfied everyone.

Barry will not be with us another year; he has gone West to practise law, being graduated from Harvard June '06. Previous to his course he took a college course at Brown on whose football team he played for four years. In 1902 he was chosen all-American half-back. His stay here has left us an impression of his sterling character, and we wish him the greatest success in his new field.

Beacom.

YOU may sing the songs of heroes
Who have trod the football field,
Of your Eckersoll and Garrells
Who were never known to yield;
But my song is of a tackle
Who would play your heroes flat,
And there's nothing cute about him,
He is just plain "Pat."

Though the backfield hit the line hard
And advance unto the goal,
It is generally the worker
On the line that makes the hole.
Thus was Beacom ever doing,
And the holes were large at that,
For there's nothing small about him,
Though he's just plain Pat.

T. C. B.

CAPTAIN R L. BRACKEN.

This was "Captain Bob's" last year of football. He closed a brilliant record in the Beloit game, and now will take his place in athletic history at Notre Dame. Few men who have ever captained the Varsity have won the love and esteem that Bracken has. With his team-mates he never had anything but harmony; for him they always had respect. This mutual confidence was one of the things which made us as successful as we were. "Bob" graduates from the Law Department next year.



The Scrubs.

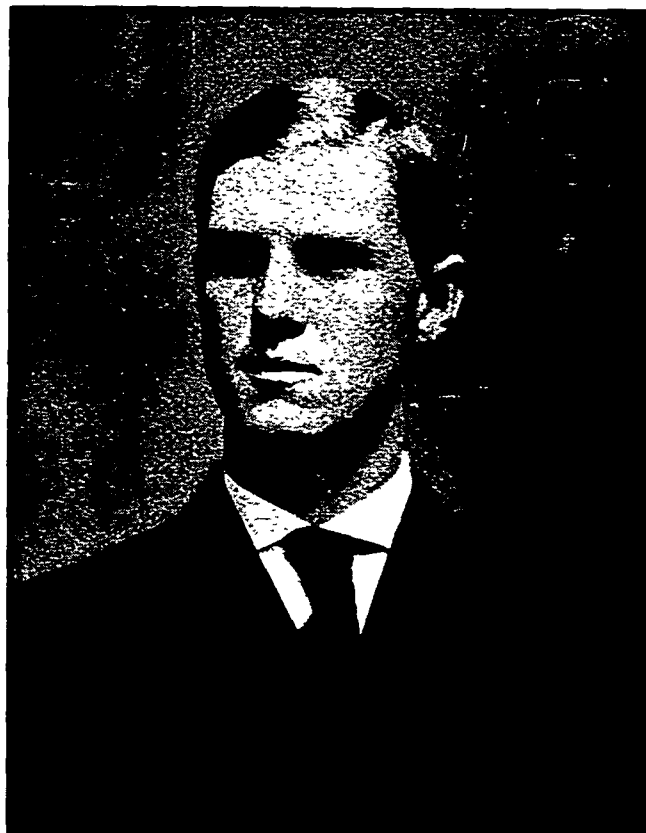
THE crowd cheers loud for the regulars
Who have made the Varsity team,
For the men who have swept the football field
And stood in the limelight's gleam,
But little it knows of the silent men,
Of the lads who take the rubs,
Who work their best to advance the team—
Hurrah! for the Varsity scrubs!

The regular man feels well repaid
When he hears the voices true
Of a thousand lusty college lads
Who cheer for the Gold and Blue;
But they show a love that is deep at heart.
The men who fight like cubs,
When there's no return. And it's ours to shout
"Hurrah! for the Varsity scrubs."

T. E. B.

THE BASEBALL CAPTAIN.

Rufus Waldorf for two years on the Varsity football and baseball teams will lead the State Champions again this year. "Rufe" has been the box artist for us since his début into the baseball world and we are expecting bigger things than ever this year. He is the right man for Captain, and let us now guarantee him the good spirit in baseball that was accorded Capt. Bracken in football.



MANAGER DRAPER.

When "big Bill" Draper, famous trackman and half-back, took up the managership last September everyone knew that he had gotten into a position where it took a whole man to get along. With a blank schedule, a muddled state of athletic business, and general disorder, staring him in the face, he set about to straighten matters out and put us where we belonged in athletic circles. As much credit is due to Manager Draper for the successful year we have had as there is to any man. It is encouraging to see that after several years of unsuccessful managers we have at last gotten the right man. That he will prove as valuable a man for the baseball men as he has been for the gridiron men we have no doubt.

Inter-Hall Track Meet.

Manager Draper says that an Inter-Hall meet will be held soon. It's for the purpose of bringing out men for the Varsity track team. Already many are out, but there are others around who should be there. Sorin, Corby, Brownson and St. Joe should all be represented. The last Inter-Hall meet held was a very successful one. Sorin won, and the big men are trying to get out enough men to do it this year.

Varsity 1906.

Another season has gone and found us up a peg or two. No team could ever show more clearly the effect of "altogether" spirit than the Varsity of 1906. With less stellar material than the 1905 team, the Varsity made a wonderful record and buried the "hard-luck" account of the 1905 warriors. It was not due to one man, or to the three, but to all the men. No team ever pulled together like ours did, and no team ever had better spirit among its men. To all this and Barry's good work can we attribute our success.

ROBERT L. BRACKEN (Capt. and Q. B.).

Captain Bracken ended his career in football at Notre Dame in a blaze of glory. On every field he was a hero, and his long runs have added much to the Varsity's number of yards gained this year. Bracken came in just when and where a man was badly needed, and that was at quarter-back. When Dwan was forced to quit Barry was up against it. He tried Bracken at quarter, and the Captain immediately made good. Bob is essentially a half-back and would have certainly starred wonderfully in the new game. He is fast and has a good head. His ability as a broken field runner is attested by his brilliant showing at Purdue. At Indiana he was picked by all critics as a back on the All-Indiana team. We will miss him next year as he was a good, hard worker, and gave the Varsity the best that was in him. "Peggy" is 21 years old, weighs 155 lbs. and is 6 feet in height.

PATRICK BEACOM (Tackle).

The great ex-Captain surprised us one day last September. He just dropped in quite unheralded and boosted the line stock considerably. Through the year he was the same old Pat, only better than ever. Barry shifted him to tackle this year, and though handicapped in a new position he did brilliant work. He was a whole fortress of strength to the line, and his ability to net five and six yards when given the ball made him more than ever indispensable. For four years he has been the man on the

line and the mainstay. Notre Dame's line will miss Beacom and the hole will be hard to fill. To followers of football no word of praise or introduction is necessary. Everyone knows "big Pat," the giant tackle of the Gold and Blue. We are sorry to lose him; he was a great player, and a loyal student. Beacom is 24 years old, weighs 230 pounds and stands 6 feet 2.

CLARENCE SHEEHAN (Centre).

"Bud" also played his last game this year. Like Beacom and Bracken his time has come, and he must leave the old shoes in the old gym for some one else to fill. It will be hard to fill them too. In fact we are quite sceptical about it, for Sheehan has no peer in the West as centre, and is without doubt one of the greatest football players Notre Dame ever turned out. He is big and very fast, strong and knows the game. He was injured only once during the whole season. "Jerry" also gave us a surprise, and one day he strolled in from the West and donned the canvas. The brilliant work he did eclipsed completely all his other records. This year he was the general in the line, and kept the new ones steadied up. He is 23 years old, weighs 190 pounds and is 5 feet 11 inches in height.

DOMINIC CALLICRATE (Half-Back).

Dominic Callicrate, the find of 1905, was the star of 1906. This year he was pulled back to half and played his own great game back there. Absolutely devoid of fear, almost to foolhardiness, strong, alert and sure he is a very valuable part of the team. He is a phenomenal ball player. He is hard to catch and harder still to tackle when carrying the ball; he is a fierce tackler and a reckless interference breaker. He is never injured and always in the game. He was also picked as an all-Indiana back. Next year he will have no peer in the West as a half-back. Dominic is 21 years old, weighs 165 pounds and is 5 feet 10½ inches in height. He was elected Captain for the 1907 Varsity.

JOHN DEINER (Full-Back).

The big full-back was a tower behind the line; his 190 pounds were always telling on opponents, and his fierce line lunges made one regret the loss of the old game.



He is big and strong and a powerful defensive player. On offense he is a star when running interference. His showing in the Indiana game places him as one of the best men in the State. He is a good man behind the line, steadying the half-backs and always using his head. No team can be complete and successful without a man like Deiner. His plunges are a necessity. Deiner went through the line with terrific force and was always in the playing, pulling a man through, clearing holes, or a telling factor on the push. Deiner is 21 years old, weighs 190 pounds and is 6 feet in height.

FRANK MUNSON (Guard).

Munson was another man to make the team this year. He held down the position beside Sheehan and made good. "Fan" is a big man and strong. He was a hard worker, though hindered somewhat by a severe cold which clung to him through the whole season. He is fast and with his weight made a good man. He was the punter of the team and showed up well. His performance in the Michigan "Aggie" game was excellent, and his punts against a driving soaked wind average thirty-five yards. In the Indiana game he did great work also. Munson is 5 feet 10½ inches, weighs 185 pounds and is 20 years old. He will be with us again next year.

RUFUS WALDORF (Half-Back).

Waldorf too must go this year. The great "Bumper" has played the time allotted to all athletes. His work is memorable, and the swift half-back will long be cherished by Notre Dame enthusiasts. Last season he played full-back, and though light for that position he proved a valuable man. The new game was more to "Rufe's" liking. He is heady and a good defensive player, while he is a good punter. Waldorf has been elected Captain of the Varsity baseball team. He is 21 years old, 6 feet in height and weighs 165 pounds.

FRED EGGEMAN (Guard).

Eggeman was one of the men from the big squad of new men to make good. He is a brother of the famous John Eggeman who starred on the Varsity as centre. "Eggie" is a big man and strong; he has

good endurance and promises to be a valuable man. This was his first year. Next season we expect him to do "some" things on the line. He was never hurt and was always in the game. As guard he did admirably. In Eggeman there is the making of a star line-man. His defensive work was strong and he was just as good on offense. He played every game of the season, and very little time was taken out for him. He is 21 years old, weighs 195 pounds and is 6 feet in height.

OSCAR HUTZELL (End).

Another man who materialized this year was Hutzell. The man from Fort Wayne made quite a "rep" for himself this year. He was fast down the field and was one of the men who came in for much praise from everyone who saw the Indiana game, and who were forced to recognize the worth of our ends. Time after time Indiana failed in trying to circle the ends. All others like Indiana failed too, because our ends were always there. Another one of Hutzell's new stunts was always keeping his eye on the ball and being the one generally to get a fumble. His work scored for us in several instances. He is strong and fast, a good tackler and a man who always keeps his eyes open. He will play with us next year. Hutzell is 5 feet 9 in height, weighs 160 pounds and is 20 years old.

HARRY MILLER (Half-Back).

Miller reported to Barry with the rest of the green men. But he had the right timber in him, and soon "red top" was tearing around the end as half-back. He is a very good worker and consistent; one of the most faithful men on the squad and a hard trainer. He is almost too anxious to "get in" and so needs holding back instead of the customary "dig in." Miller will be a great acquisition to next year's team. He is strong and possesses phenomenal development for a man so young. He is always willing to learn any new point and is another one filled with the "ready-for-more" spirit. He has two years more, and if he continues to improve he will have no superior in the state. Miller is 17 years old, weighs 175 pounds and is 5 feet 10 inches in height.

SAMUEL DOLAN (Tackle.)

Dolan was another new man who made good under Barry. It was his first year and he showed up very well. Next year "Rosie" ought to be one of the best men in the West. He is very strong and plays a great game both offensive and defensive. Besides he can, like Beacom, be called on for five or six yards when they are badly needed. It is a hard proposition to pull this man down once he gets the ball. He was one of the most consistent workers on the squad; always in good condition and ready for more he made a hit with everyone. This was Dolan's first year and he will be with us again next year. He is 22 years old, weighs 190 pounds and is 5 feet 9 inches in height.

RAYMOND J. SCANLON.

Scanlon is a little man, weighing but 160 pounds and is but 5 ft. 8 in height. He started late occasioned by his class work, but proved to be one of the best ends on the squad. Scanlon played end on offense and half-back in the double line on defense. He was the equal of Callicrate in picking out his man and downing him. A fast man going down under punts, and a hard worker all the time. While not a brilliant player he was the kind that can be relied upon and can always be counted on to do his best. A harder or more faithful worker never wore a Notre Dame uniform than the same little Scanlon. He will return and the man who beats him out of an end position next year will deserve the place for he looks to be a fixture now on the right wing as long as he remains in school.

EDWARD F. O'FLYNN

O'Flynn is another one of the long list of first year men, weighing 170 pounds and standing 5 feet 10 in height. Early in the season he suffered an injury to his shoulder which kept him out of the game for several weeks and spoiled the good showing he would have made. The only time that he really had a chance to show his ability was in the first game of the season, and then he proved beyond doubt that he had the proper stuff in him and will be developed into a good full-back. O'Flynn may return next season and if he does he

will make a strong bid for a position in the back field.

BENJAMIN BERVE.

Berve weighs 185 pounds, is 19 years old, and was another one of the new men. Coach Barry took him out of tackle, his regular position, and made an end out of him. He was a good defensive half-back, possessing the weight and strength necessary for a good interference-breaker. He followed the ball well, and although new at the position put up a remarkably good game. He is another type of the steady player, always in the game, and always working for the interest of the team. Berve will return next year and will make part of the good bunch that will remain from this year's squad.

ARTHUR A. HENNING.

"Artie" showed a great improvement over last year and developed into a good man. That Henning is needed around is putting it mildly. That he will be extremely useful, and that he will utilize his 180 pounds for us next year, makes us feel easier about "that hole" which Beacom will leave. Henning from the start got in and trained. He was always out on the campus for every practice and scrimmage. He seldom if ever got hurt and always put up a good strong game. It is of Henning's kind that we must look to next year for another first-class Varsity. He is 21 years old, weighs 180 pounds and is 5 feet 8 inches in height.

HARRY G. HAGUE.

Harry Hague came out this year and gave the Varsity the best in him. Pitted against Beacom, he often made the big fellow take more than usual precautions. Hague was another of those indispensable men who are always around when wanted, and who are always willing. Harry is well muscled and uses 180 pounds of solid matter to good advantage. He will be with us again next year. He bids fair to make a very good line-man. He is 20 years old, weighs 180 pounds and stands 5 feet and 9 inches.

ALBERT T. MERTES.

"Bud" Sheehan's opponent landed on the campus this year with the others

who knew nothing of any kind of football much less the new game. But brains win out and it did not take Mertes long to get a start; from then on he made things interesting enough for any man on the squad who opposed him. Mertes is undoubtedly looked upon as the man to fill Sheehan's shoes. This year's experience coupled with his weight and nerve should make him a very valuable man next year. It is the kind of men like Mertes that coaches want. He is over willing and is a plugger from start to finish. He is 20 years old, 5 feet 11 inches tall and weighs 185 pounds.

THOMAS F. DONOVAN.

The brother of the famous "Smush" played with us this year. He evinced some of the old Donovan spirit and was always in the thick fight. He is a very big man and next year should prove a valuable bit of material. "Smusheret," though a green man learned quickly and put up some good games during the year. His Beloit game was worthy of notice, and was the subject of much comment. He is 21 years old, 6 feet 1 tall and weighs 185 pounds.

NICHOLAS M. DOYLE.

A good man who did fine work during the year was "Nick" Doyle. Nick is a big man and very strong. He is a willing worker and uses his head. Besides being a good defensive line-man, he is a hard tackler. This was his first year out and we expect great things from this man next season. He was also a member of the green bunch Barry had to pick from. He will be back next year and help fill the place vacated by Beacom. Doyle is a hard student as well as a good athlete. He is 21 years old, weighs 190 pounds and is 6 feet in height.

HARRY A. BURDICK.

Burdick weighs 185 pounds and is 6 feet tall. This was his first year on the team and he was probably the "find" of the season among the second team men. As a defensive half-back he was the equal of any man on the Varsity. And in the only game he was in he proved that he was a good end. The only forward pass of the season which worked, as it is intended to work, Burdick

took from Bracken and made a twenty-five yard gain on it. He had but little experience if any before this year, and next season he will undoubtedly be seen in the regular line-up if he continues to improve.

EDWIN BONNAN.

Bonnan was the smallest man on the squad. He is but 5 feet 6 in height and weighs 142 pounds. Bonnan is the man to whom the rooters are looking to step into Bracken's shoes at quarter. He is a fast man, a good general, knows the game and has had several year's experience. He did not get a chance to show his worth this season as Bracken was late in getting into form at quarter-back and needed all the practice he could get. Bonnan is a good man on defense, handles punts well and is a good dodger and open field runner. He will return and according to dope should fill in at quarter-back with very little trouble.

JAMES KEEFE.

Keefe is 5 feet 10 inches in height and weighs 155 pounds. He played quarter and half-back on the second team and was a valuable man for the squad, as he could fill in at end, quarter or half. In the only game he was in he went in at quarter and got away with two pretty runs. His sprinting ability aids him greatly as he is the fastest quarter-miler in the school, and once away it was all off, as he proved to the regulars in the practice games. Keefe may return.

JOHN F. DUFFEY.

Duffey was another star man on the second team. He is a big strong fellow weighing 180 and standing 5 feet 11 in height. Duffey played half-back on the second team and was responsible for many of the long gains that the "scrubs" made on the Varsity. Duffey has three more years to play, and if he decides to remain at Notre Dame he will develop into a strong man either at end or half-back, and have chance to show his ability in a regular game. He is another of the men who will make the Varsity with a little more experience and will be a valuable asset next season.

LEROY KEACH.

Keach is a small light man, weighing but 150 pounds and standing but 5 feet

8. Keach was one of the most earnest workers on the squad. He filled in any position including end and the backfield. At times Coach Barry sent him in at guard and it was all the same. Never a word from him, but he put his head down and worked. The good example that Keach set might be followed by many of the side line warmers. Keach was one of the fastest men on the squad. He has another year and will return.

MAX JURASHEK.

"Germany" Jurashek is 6 feet tall and weighs 160 pounds. He played half and end on the second team and proved to be a good ground gainer and a fair defensive man. "Germany" did not have the chance to show his best as he was injured several times. He will return next year, and profiting by this year's experience will be a good man.

The Varsity Banquet.

Monday evening the Varsity was tendered a banquet by the University at the Oliver Hotel. Twenty-five men besides the Manager, Coach and Faculty representative gathered around the festive board and talked the season over again. At the head of the table sat Coach Barry with Captain Bracken at his right and Manager Draper at his left. Mr. Draper was toastmaster and ably filled the position.

In tendering the Varsity's token of love and esteem to Barry, Captain Bracken made a brilliant speech. The farewell word of the men who have played their last year with Notre Dame struck sympathetic chords in everyone.

The worth of the "Scrub" was emphasized by every Varsity man's speech. Keefe's response to the toastmaster's introduction was greatly appreciated. O'Flynn spoke in a very creditable manner, and was only one of the many who referred to the good spirit among the men, the encouragement by the Coach, Captain and Manager.

"It was you, not I, men, who made this year a success," was a very modest close coming from the lips of Notre Dame's most successful Coach. So ended the 1906 football year—a year long to be remembered and cherished by every Notre Dame man.

1906 Inter-Hall Football.

The Inter-Hall football season closed at Notre Dame with the St. Joe-Corby game. The championship is still undecided. It is disputed between Corby and St. Joe. Brownson met Corby, and after a brilliant fight went down in defeat. Then St. Joe tried her luck against the victors and succeeded in defeating them, but the game was contested because St. Joe played men who were on the Varsity squad. A few weeks later St. Joe tried again, but Corby held them, and the score was 0-0. This leaves the affair undecided.

Inter-Hall football has always created quite a stir here, and much interest was manifested this year. It is to be regretted that Corby and St. Joe did not meet and determine the championship. For Sorin athletics were dead; Capt. Brogan got a bunch of men out for a while, but the new Sorin spirit which is directly contrary to the old one caused the thing to fall through. Sorin should have had a good team, and the loss of the annual Sorin-Corby game does not help college spirit very much.

Perhaps to Corby should the greatest credit in football progress be given. She had a very good schedule and took a number of trips. In her line-up there are several men who should prove valuable material for the Varsity squad. Heyl, Payne and Kelly were noticeable this year. In St. Joe, Barry and Papin carried the honors. Brownson showed up well with Lennartz and Trumbull. O'Leary's toe is good, but he had poor luck in games.

Carroll Hall went in for a bit and defeated the Latin-American team, but further than this Carroll did nothing. Carroll seems to have followed the example of the older Sorinites in taking a decided slump in athletics, and this without Sorin's excuse, dignity. We remember the time when Carroll cut quite a figure here, and it is too bad to see these youngsters without spirit.

This in brief is Inter-Hall football this year. Relative to other years it was a failure, but viewed alone it was fair. Perhaps much can be accounted for by the appearance of so many crack Hall-men on the Varsity squad.

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—Another year of Notre Dame football has passed into history. The tension of two weeks ago has been relieved, and we walk around the campus waiting for nothing, except perhaps another word. Christmas time. Much has been said about our "N. D." man. On the campus he has been lauded, and off it he has been appreciated, but all of us admit we can never say too much. The splendid spirit shown this year can not go for naught, and we feel it throbbing through us, inspiring us to do greater things. Who will say it will not remain with us, and, increasing with time, swell down the years till the name of Notre Dame will be heralded with renewed vigor the world over.

To the men who leave us we extend a grateful hand. We thank them for the lesson they have taught, for the gift they bestowed in giving the best that was in them; and so, Bracken, Beacom, Sheehan, Waldorf and Deiner, all Notre Dame extends to you her earnest gratitude.

To Manager Draper belongs much of the credit for the harmony that existed this year. Handicapped by a muddled state of affairs which presented itself to him in

September he ploughed on and brought us through the year a success. An excellent management is the only way to term it, and Bill Draper, athlete and student, was the man behind. Of course we want another Draper year.

To Coach Thomas Barry we are greatly indebted, and it is our deep regret that he will not be with us again, but wherever he goes we will watch him with interest, and now extend him our heartiest wish for success.

—Six years ago there came to the University preparatory department a small boy from South Bend. On the side-lines in the

great Varsity days he watched the The great Varsities. Three years later New he donned a football suit and Captain. fought for Sorin Hall in the great struggle against Corby.

Corby won that game. It was an epoch in Corby's life; it was another in two or three of the participants. That game brought out "big" Joe Deiner who fought so gloriously for Notre Dame this year, but it also brought out Dominic Callicrate. When Deiner, the irresistible force, hit something solid and immovable that day, he looked up and saw Sorin's plucky end; so came Callicrate into football history at Notre Dame. Last year he made the Varsity at end; his tackling was a feature. This year Barry pulled him back to half, but it only showed up his phenomenal ability as a ground gainer. Every day he played behind the line he justified Barry's choice of him as a half-back.

Monday night an admiring eleven unanimously elected him their captain. This in brief is the history of Dominic Callicrate, the modest, unassuming, plugging captain of Notre Dame. Not only is he a football hero but he is one of the hardest and most consistent students in the University. Though in this respect he is only following out tradition at Notre Dame—all our captains have been lights in their classes. We who watched his football work all year think he has no peer in the West, and we all expect him to show it next season. So here's to "Cally," the reckless, daring half-back and Captain of Notre Dame in 1907. Success to him.

LAW DEPARTMENT.

Summary of Decided Cases.

Statements of facts for trial in the Moot-Court have been published with almost uninterrupted regularity since September 22, but it was found impracticable to begin the actual work of trying cases at that early date. During the succeeding two or three weeks, however, the court officers for the current academic year were appointed and preparations made for a busy season. It is believed that comparatively soon all the cases thus far given out can be disposed of and the regular order resumed of publishing the statements of facts after the trial, and giving with it the judgment or decision of the court. As that has, however, thus far been found impracticable, it has been thought advisable to present here a summary of cases already decided by the court. It is unnecessary to present more than a brief outline of the facts, as they have heretofore been set forth in the statements published.

We refer first to the case of *The People v. Barrett*, the statement of which appeared in the SCHOLASTIC of September 29. The question primarily to be decided in the case is whether it should be treated as a criminal or a civil action. On the authority of *Rex v. Wheatly*, 2 Burr. 1125, it was held not to be of the criminal class. In that case beer was the subject of purchase, and barrels sold as containing 18 gallons were found on subsequent measurement to contain scarcely 16. According to Lord Mansfield, in stating the opinion of the court, "The offence that is indictable must be of a nature to affect the public. So if a man use false weights and measures, and sell by them to all or many of his customers, or use them in the general course of his dealing, and so if a man defraud another under false tokens. These are deceptions that common care and prudence can not guard against. So if there be a conspiracy to cheat, for ordinary care and caution is no guard against this. Such cases are much worse than mere private injuries. They are public offences. But here is a mere private imposition or deception. No false weights or measures for common use are employed, no token is given, no con-

spiracy is shown. There is only an imposition on the person with whom the defendant was dealing in delivering a less quantity than had been bargained for, and this the buyer carelessly accepted. It is simply a non-performance of contract, and for it the seller may be held answerable in a civil action." To be a crime at common law an act must be injurious to the public. An infringement of private rights may be a tort or breach of contract, and as such it gives rise to a civil action for damages.

The next case disposed of is that of *Huntly v. the Equitable Life Insurance Company*. The facts in the case were published in these columns on the 6th of October. The question involved in this case is whether an insurance contract is to be considered one of indemnity or not. It was held to be such in *Godsall v. Boldero*, 9 East, 72. In the case just mentioned Boldero had a claim of £2500 against the noted British statesman William Pitt, who was notoriously indifferent about paying his debts. Boldero had an insurable interest in Pitt's life on that account, and he took out a policy to the extent of his claim in the Pelican Insurance Company of London. When Pitt died an act providing for the payment of his debts was passed by Parliament, and Boldero, with other creditors, received payment in full from the public treasury. Then he called at the office of the Insurance Company and politely requested the £2500 due by the terms of his policy. The officers of the company refused to pay the claim, and somewhat rudely intimated that he was a swindler. The next step of the disappointed and indignant Boldero was to sue the company. The case was tried in the Court of King's Bench, and Lord Ellenborough, Chief Justice, took the position that a contract of life insurance was simply a contract of indemnity, and that, as the plaintiff had been paid through the generosity of the government, he had received the amount he claimed and for the recovery of which he had taken out the policy of insurance. There was, when he received payment from the government, nothing further to claim and nothing

further to insure, according to the doctrine announced, which thus treated the contract of insurance as one of indemnity. In the case of *Mrs. Huntly v. The Equitable Life Insurance Company*, however, the court took a different view of the matter, holding that a contract of insurance is not one of indemnity, and such is now the law in Great Britain as well as in this country. *Dalby v. India, etc., Life Ass. Co.*, 15. C. B. 365. *Mrs. Huntly* was therefore given judgment against the company for the amount of her claim. This case is based upon *Connecticut, etc., Ins. Co. v. Schaefer*, 94, U. S. 437.

The case that was next decided is that of *Hagaman v. Wayman*, the facts in which were published Oct. 27. It is based upon that of *Mills v. Wyman*, 3 Pick. 207, which was decided by the Supreme Court of Massachusetts in 1825. It repudiates the idea of a moral consideration as basis for a contract. In this case the defendant's son was of full age and had left the paternal roof with a view to securing employment and earning his own living. Some time afterward he fell sick among strangers. Destitute and in distress, his condition was deplorable and excited their commiseration. Actuated by feelings of kindness and benevolence, the plaintiff succored and relieved him. Subsequently the father wrote to his son's benefactor, expressing thanks and promising reimbursement. But he declined later to fulfill his promise, and the plaintiff brought suit upon it. The court held that he could not recover, basing its decision upon the ground that there was no valid consideration for the promise.

The son had attained to his majority, had left home to provide for himself and was no longer a member of the father's family in the sense of working for or depending upon it. The father was no longer under legal duty to support or provide for him. The promise to pay the plaintiff for his services and disbursements during the young man's sickness was given after the services had been rendered and the disbursements made. It was given in a sense of gratitude. It had simply a moral basis. It was right and in accordance with conscience that it should be fulfilled. But this did not create a legal obligation

binding on the defendant. It would be otherwise had the promise preceded the services and expenses incurred, and they were given with reference to it. The responsibility of the father for necessities is restricted to minors and those whom he is legally bound to support. That responsibility ceases in the case of adults and children emancipated. On the authority of the case mentioned—*Mills v. Wyman*, 3 Pick. 207—the case at bar is likewise decided in favor of the defendant. It should be remarked that Lord Mansfield strongly favored the Roman law, which recognizes the moral consideration, and sought to borrow from it whenever practicable, but the common law did not yield on this point; and the moral consideration must find its reward in the approval of conscience, the gratitude of the beneficiary and the appreciation of the community.

The Oratorical Contest.

Next Wednesday the finals for the Breen Medal in oratory will be held in Washington Hall. The four men who will compete are those who won out in the preliminary contest held on last Tuesday. Wesley J. Donahue, who will speak first, needs no "writing" at Notre Dame. For three years he has been active in debating here. He was a member of the team which defeated De Pauw two years ago, and last year he was one of the trio which vanquished Iowa.

Edward F. O'Flynn, who follows second on the program, has achieved eminence in oratory. Last year he won the Breen Medal from a large field. In the State contest he won second place by a margin of nine points and came within one point of winning first. Contrary to precedent around here O'Flynn has been advised by the Oratorical Association to enter.

W. P. Galligan is a dark horse, his showing in the preliminaries was excellent and deserved to win into the finals.

F. T. Collier, the stellar light in St. Joe literary circles, is known to everyone. He is a senior economic man and has been in the limelight for four years.

Announcement.

The editor wishes to announce that because of the extra work of getting out a Christmas number, there will be no issue of the SCHOLASTIC next week.

Notes from the Colleges.

And to think they are still playing baseball out at St. Mary's College, Oakland, California.

We find a "Mike" Dougherty on the Minnesota debating team; but then this might be more of a news item if we didn't find "Mike Somebody" among the names of the spell-binders.

The Purdue Agricultural School will issue a magazine.

The study schedules of the football men at Cornell will be arranged next year with a view to giving the candidates ample time for practice. This is the proper spirit.

January 4 is the date of the Hamilton oratorical contest which will be held in Chicago. A number of the big universities will be represented. Among them Chicago, Indiana and Northwestern.

The "Frats" run the American college girl, while every coed is on an equal footing in the Canadian schools. This in substance is what the *Queen's University Journal* has to say of the college ladies. We haven't anything to say except that we don't know the "frat," and we are hardly on speaking terms with "our" college girls.

The term professional is construed literally at Harvard, for not only the men who are professional athletes, but anyone who is following a professional course in the school is barred from participating in college athletics.

A college athlete can no longer compete

in contest under the colors of his college and the A. A. A. He must choose between his *Alma Mater* and his club.

Right now when the curtain is falling on the football career of many a gallant gridiron hero, perhaps no place in the country will there be such a demonstration as there will be at Chicago over Walter Eckersall. The whole university planning is the affair. What men these moleskin heroes be!

Basket-ball must in a week or so take the place of the "debrutalized" football.

The Wisconsin faculty has put a two-hour limit on all college society gatherings. It can not start till 8 o'clock or last longer than 10:00 o'clock. The indignation is where it should be—in the women circles.

Personals.

—John R. McCoy writes that he is now a member of the Thos. Hoyer Heating Co.

—Maurus Urick is with the Tacoma and Portland Railroad.

—B. R. Enriquez is located at Los Gatos, Mexico, with the Campanio International Railway Construction Co.

—Mr. L. C. Fritch, uncle of Louis and Emil Fritch of St. Edward's Hall, has been appointed Assistant to the President of the Illinois Central Railroad, effective November 14, 1900, with office at Chicago, Ill. Mr. Fritch was for several years secretary of the American Railway Engineering and Maintenance of the Navy Association; he is also a member of the American Society of Civil Engineers.

—Mr. Charles Roesch and Mr. Nathan Silver are advancing rapidly with the Fort Wayne Electric Works, Fort Wayne, Ind. They have been promoted several times. Mr. Roesch wishes to impress on the minds of the students the necessity of knowing how to use the common slide rule. He says: "Everyone here uses it; even in the sales department each man has one; he has no

time to make long divisions and figure percentages in the ordinary way."

—Dr. M. J. Brown has been selected to teach in Columbia University, Portland, Ore. He was graduated in medicine in the Jefferson Medical College, Philadelphia, in 1896, and was instructor in biology and anatomy for three years in the same institution. Having previously studied law in Philadelphia he came to Notre Dame last year when he received his Bachelor's Degree in law and also the gold medal for legal thesis. We wish him success in his new field.

Local Items.

—Sorin's billiard table hasn't come yet.

—A number from Sorin went down to a dance recently—enough said.

—Found—Some fountain pens. Apply to Bro. Alphonsus, Brownson Hall.

—Beacom was in the line-up against Canton in the Massillon-Canton game.

—The finals in the contest for the Breen Medal will be held Wednesday evening in Washington Hall.

—The question for the coming debate between Notre Dame and Iowa University has been submitted by the Iowans. It is: "Resolved, That the cities of the United States should seek the solution of their street railroad problems in private ownership."

—Lost—Two rings. Finders, leave with Brother Alphonsus;

A gold seal ring between Corby Hall and Main Building, return to Father McManus;

A pin with a lion's head and five stones; leave same with Bro. Just, Carroll Hall.

—The annual meeting of the 1907 Golf team met the other night. The following officers were elected: John Wooden, President; J. Tack Keefe, Vice-President; R. Kosparr, E. T. T. S. Secretary; J. Coniski, Manager; J. Jardene, Assistant Manager; E. J. Alais "Hypo" Kenny Captain. The colors are damask and pea green. Caps will be out soon bearing the usual modest emblem, of the Golfers.

—Circulars have been issued asking a number of questions concerning your record in athletics. It is the earnest desire of the Athletic Management that everyone receive

ing such a circular will answer all questions, and show by their approval of the plan their willingness to help in upbuilding athletics.

—Because of the number of contestants for the Breen Medal in Oratory it was necessary to hold a preliminary contest Tuesday in Washington Hall. The successful four were: first, E. F. O'Flynn; second, W. J. Donohue; third, W. P. Galligan; fourth, F. T. Collier. The final contest will be held December 5.

—The Inter-Hall debates will take place the second week in December. Next week a schedule of the debates will be put on the bulletin boards of the different Halls. It is to be hoped that there will be a large attendance of these contests for the encouragement of the participants. They have prepared long and thoroughly, and will certainly make a creditable showing.

—The Brownson Literary and Debating Society held a very interesting meeting last Sunday evening. Speeches or recitations were given by Messrs. Hundley, Cabrera, O'Leary, Brickey, Cajulis, Howard, Berry, Fagula and F. McAleenan. Their efforts were all creditable and were appreciated by the society. Mr. Varnum Parrish expressed some excellent ideas on the "Value of Public Speaking" and was listened to with much interest. He is a former Brownsonite who bids fair to become a thoughtful and pleasing speaker. After a few words from Bro. Alphonsus and the three new members who had just been taken in, the meeting adjourned. Great interest is being shown in the members who are to represent Brownson Hall in the Inter-Hall debates, and they can count on the hearty support of the Hall at large.

—The preliminaries of the Corby Hall debating society were held Monday evening, November 12, the contestants acquitting themselves in a very creditable manner. The question for the debate was "Resolved that public utilities should be owned and operated by the municipality." The question was vigorously debated by the candidates, the judges, who were Fathers Quinlan and Heiser and Professor Harrington, finally awarding the honors of first, second and third places to Messrs. Hutchins, McNally and Schmidt, in the order named; F. J. Roan was selected as alternate. The men who compose Corby's team are now actively engaged in forming their argumentative forces for the debate with Holy Cross, which is scheduled for the evening of Dec. 7, and are eagerly awaiting the coming of the contest. Although this is Corby's first year in the debating field, it is the expectation of the Corby students that it will prove a most successful one.